



---

**An Bille um Rialáil Tuirbíní Gaoithe, 2025**  
**Wind Turbine Regulation Bill 2025**

---

*Mar a tionscnaíodh*

*As initiated*

---





---

**AN BILLE UM RIALÁIL TUIRBÍNÍ GAOITHE, 2025**  
**WIND TURBINE REGULATION BILL 2025**

---

*Mar a tionscnaíodh*

*As initiated*

---

CONTENTS

Section

1. Interpretation
2. Excess product
3. Location of turbines
4. Public consultation
5. Noise and shadow flickers
6. Set back distances
7. Transitional provisions and duties of planning authorities
8. Compliance and penalties
9. Financial evidence
10. Responsibility upon decommissioning
11. Co-ownership for local communities
12. Civil liabilities
13. Short title and citation

ACTS REFERRED TO

Civil Liability Act 1961 (No. 41)

Environment (Miscellaneous Provisions) Act 2011 (No. 20)

Planning and Development (Strategic Infrastructure) Act 2006 (No. 27)

Planning and Development Act 2000 (No. 30)



---

**AN BILLE UM RIALÁIL TUIRBÍNÍ GAOITHE, 2025**  
**WIND TURBINE REGULATION BILL 2025**

---

# Bill

*entitled*

An Act to regulate wind turbines to provide limits on the exportation of product generated from wind turbines, to protect nearby dwellings from noise and shadow flicker by providing minimum set back distances, to allow access to public consultative processes; and to provide for related matters. 5

**Be it enacted by the Oireachtas as follows:**

## **Interpretation** 10

1. In this Act—

“Act of 2000” means the Planning and Development Act 2000;

“Act of 2006” means the Planning and Development (Strategic Infrastructure) Act 2006;

“Act of 2011” means the Environment (Miscellaneous Provisions) Act 2011;

“curtilage” in relation to a dwelling, means an area immediately surrounding or adjacent to the dwelling, which is used in conjunction with the dwelling, other than any part of that area that is a public place; 15

“dwelling” includes—

(a) a building or structure (whether temporary or not) which is constructed or adapted for use as a dwelling and is being so used, 20

(b) a vehicle or vessel (whether mobile or not) which is constructed or adapted for use as a dwelling and is being so used,

(c) a part of a dwelling, or

(d) the curtilage of a dwelling;

“excess product” has the meaning given to it under *section 2(2)*; 25

“generated product” means electrical power generated directly from wind turbines;

“host community” means the community within a three mile radius from the location of the wind turbine;

“landscape” means the immediate and extended setting upon which the proposed wind turbines are to be placed; 30

“Minister” means the Minister for Environment, Climate and Communications;

“planning gain” means any aspects of a development proposal required for the development to go ahead (including financial contributions to public services), secured by the local authority to mitigate the impact of the development on the local community;

“public place” means any place to which the public have access whether as of right or by permission and whether subject to or free of charge; 5

“self-sufficient” means where the level of electrical power generated from renewable sources, including from wind turbines on the island of Ireland is deemed to be sufficient to meet electricity demand;

“vista” means the immediate and extended view (or short and long range view) of the site and its general environs; 10

“wind turbine” means a commercial turbine which supplies grid connected electricity generation that is greater than 11kW when connected to the three phase grid of 400V.

### **Excess product**

2. (1) The generated product from wind turbines within the State and as regulated in accordance with this Act, shall not be exported outside the island of Ireland, until such a time as the Minister is satisfied, subject to the conditions outlined in *subsection (2)*, that the generated product is product which may be deemed excess product. 15
- (2) In accordance with *subsection (1)*, the Minister shall, in determining whether such product is excess product, have regard to whether the product generated from wind turbines and other forms of renewable resources is of an amount that is greater than the amount of energy needed for the island of Ireland to be deemed self-sufficient in the generation and consumption of electrical power, and consult with the Oireachtas Committee on Climate Action and have regard to any other considerations that the Committee sees fit. 20 25
- (3) The Memorandum of Understanding between Ireland and the United Kingdom on Cooperation in the Energy Sector shall not take effect until the conditions in *subsection (2)* are outlined.

### **Location of turbines**

3. (1) All locations for proposed wind turbines must be— 30
- (a) designated in County Development Plans,
  - (b) consistent with the plan, and
  - (c) be designated with the approval of the relevant elected local authority.
- (2) (a) Any decision made in accordance with *subsection (1)* shall not be subject to, or amended by, the Act of 2006. 35
- (b) Any decision made in accordance with *subsection (1)* cannot be deferred to the Strategic Infrastructure Board.

## Public consultation

4. (1) Every person applying for permission under the Act of 2000 to construct a wind turbine or wind farm shall be obliged to place a notice in a local and national newspaper, and in a prominent place on the proposed site that is accessible to the public view, outlining the following information: 5
- (a) a description of any changes to the proposed site, outlining the physical and technical characteristics of the proposed wind turbine development;
  - (b) a formal assessment in writing and a non-technical outline of the effects of the proposed development on the local environment must be lodged with the local council and public library for public consultation outlining at the minimum, the following information: 10
    - (i) an ordnance survey map showing the location of each turbine relating to all planning applications for that area held by the planning authority;
    - (ii) the potential impacts of the proposed construction on the host community;
    - (iii) the physical effects on the natural environment, and landscape, the cultural heritage; and 15
    - (iv) the measures proposed to prevent or reduce such effects;
  - (c) the envisaged length of the construction works; and
  - (d) the planning gain of the proposal.
- (2) Section 8 of the Act of 2011 shall apply to this section, and a word or expression used in this section has the same meaning as in the Convention of Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters done at Aarhus, Denmark on 25 June 1998. 20

## Noise and shadow flickers

5. Every person applying for permission under the Act of 2000 to construct a wind turbine, and every operator of a wind turbine shall ensure the following: 25
- (a) that the noise from the wind turbine does not exceed the noise limits specified in the World Health Organization Guidelines for Community Noise (1999), or any preceding or replacement guidelines; and
  - (b) that the distance of the wind turbine is such that any shadow flicker from the turbines does not pass over the dwelling. 30

## Set back distances

6. (1) Subject to the duties in *section 4*, the minimum distance between a wind turbine and a dwelling shall be as set out in *subsection (3)*.
- (2) If a number of wind turbines are proposed as part of the same development, then the minimum distance requirements in *subsection (3)* apply to each individual wind turbine. 35
- (3) Wind turbines that are of a height which is greater than 30 meters shall be located not less than a distance of 7.5 times the height of the turbine away from any dwelling.

- (4) The height of wind turbine is measured from the ground to the end of the blade tip at its highest point.
- (5) The distance from a dwelling is measured from the base of the wind turbine to the point of the dwelling nearest the base of the wind turbine.

**Transitional provisions and duties of planning authorities** 5

- 7. (1) The operator of a wind turbine shall be responsible for ensuring that the provisions in *section 6* come into operation no later than one year after the enactment of this Act.
- (2) The operator of a wind turbine to which *subsection (1)* applies shall, no later than six months after the enactment of this Act, prepare a plan that contains the specific preparatory measures required to comply with *subsection (1)* and shall then communicate that plan without delay to— 10
  - (a) persons occupying dwellings within the minimum distances specified in *section 6*, and
  - (b) the planning authority or, as the case may be, An Coimisiún Pleanála.
- (3) Every relevant authority shall, in carrying out their duties and functions, ensure that every person applying for permission under the Act of 2000 to construct a wind turbine generator, and every operator of a wind turbine generator, complies with the duties in this Act. 15
- (4) In this section, “relevant authority” means—
  - (a) a planning authority within the meaning of the Act of 2000; 20
  - (b) An Coimisiún Pleanála;
  - (c) the Minister for Environment, Climate and Communications;
  - (d) any other Minister exercising functions in connection with any grant aid or financial assistance related to a wind turbine, including a connection with a Renewable Energy Feed-in-Tariff Scheme (REFIT). 25

**Compliance and penalties**

- 8. (1) Where a person or company responsible for the construction or operation of a wind turbine fails to comply with the provisions of this Act, then the person or company shall be liable for a penalty to be determined by the Minister upon the enactment of this Act. 30
- (2) No contract of agreement, which is contrary to the provisions contained within this Act, shall be made by a person or company applying for permission to construct a wind turbine under the Act of 2000, or by any person or company constructing or operating a wind turbine, or any other person acting on their behalf, with any private member or members of the host community, community group, business, residents association, local co-operative, representative person or body or any other person or group of persons that form part of the host community. 35

### **Financial evidence**

9. Any person or company applying for permission to construct a wind turbine in accordance with the Act of 2000 shall enter a legally binding bond with the Local Authority which shall provide financial recompense on the part of the person or company to pay for the repair of any damage caused to or facilitate maintenance of local public infrastructure including, but not limited to, damage and/or maintenance to roads, water services, bridges, buildings or any other public infrastructure the Local Authority deem appropriate for the purposes of this section. 5

### **Responsibility upon decommissioning**

10. (1) The person or company responsible for the operation of the wind turbine is solely responsible for the proper recycling of the turbine upon its decommissioning. 10
- (2) Failure to comply with *subsection (1)* will result in the person or company being liable for a penalty to be specified by the Minister upon the enactment of this Act.

### **Co-ownership for local communities**

11. (1) Wind turbine developers shall provide an opportunity to local residents to purchase up to a 10 per cent stake in a wind turbine development as part of a community co-ownership model of wind turbine development. 15
- (2) An initial investment opportunity shall be offered to residents who live within four kilometers from the wind turbine development for a period of 12 months.
- (3) If the 10 per cent stake is not fully subscribed through the process outlined in *subsection (2)* then the investment opportunity should be offered to residents who reside within ten kilometers of the wind turbine development for a period of six months. 20
- (4) Those who invest in the wind turbine development shall be entitled to the payment of a dividend during the lifetime of the wind turbine development. 25

### **Civil liabilities**

12. (1) Nothing in this Act shall alter or affect any civil liability that may exist upon the enactment of this Act concerning the use or operation of a wind turbine of any manufacturer, supplier, applicant for planning permission, operator, employer, or of any person having an interest in land on which such a wind turbine is situated. 30
- (2) In this section, “civil liability” has the same meaning as in the Civil Liability Act 1961.

### **Short title and citation**

13. This Act may be cited as the Wind Turbine Regulation Act 2025.

# BILLE

(mar a tionscnaíodh)

dá ngairtear

Acht do rialáil tuirbíní gaoithe d'fhonn teorainneacha le honnmhairiú táirge arna ghiniúint ó thuirbíní gaoithe a shocrú, do chosaint teaghaisí in aice láimhe ar thorann agus ar chaocháil scáileanna trí shlánachair íosta a shocrú, dá cheadú rochtain a fháil ar phróisis chomhchomhairleacha phoiblí; agus do dhéanamh socrú i dtaobh nithe gaolmhara.

An Teachta Brian de Stainléigh a thug isteach,  
22 Bealtaine, 2025

# BILL

(as initiated)

entitled

An Act to regulate wind turbines to provide limits on the exportation of product generated from wind turbines, to protect nearby dwellings from noise and shadow flicker by providing minimum set back distances, to allow access to public consultative processes; and to provide for related matters.

Introduced by Deputy Brian Stanley,  
22nd May, 2025

BAILE ÁTHA CLIATH  
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR  
Le ceannach díreach ó  
FOILSEACHÁIN RIALTAIS,  
BÓTHAR BHAILE UÍ BHEOLÁIN, CILL MHAIGHNEANN,  
BAILE ÁTHA CLIATH 8, D08 XAO6.  
Teil: 046 942 3100  
r-phost: publications@opw.ie  
nó trí aon díoltóir leabhar.

DUBLIN  
PUBLISHED BY THE STATIONERY OFFICE  
To be purchased from  
GOVERNMENT PUBLICATIONS,  
MOUNTSHANNON ROAD, KILMAINHAM,  
DUBLIN, D08 XAO6.  
Tel: 046 942 3100  
Email: publications@opw.ie  
or through any bookseller.

€1.27

